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10/083,359	02/27/2002	Masahiro Kageyama	H-1038	9183

  

EXAMINER	
VAN BRAMER, JOHN W	

  

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Alexandria, VA 22314

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/083,359	<b>Applicant(s)</b> KAGEYAMA ET AL.	
	<b>Examiner</b> John Van Bramer	<b>Art Unit</b> 3622	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 August 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>91407</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. The amendment filed on August 22, 2007, cancelled no claims. No new claims were added and Claims 1, and 4-8 were amended. Thus the currently pending claims remain claims 1-8.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Kitsukawa et al. (U.S. Patent Number: 6,282,713)

Claim 1: Kitsukawa discloses an information linking method in which:

- a. Receiving, by a first terminal device, first content of interest including a video image. (Col 5, lines 29-55; and Col 6, line 19 through Col 7, line 21)
- b. Sending, by the first terminal device, first information to identify said first content, first target area selected to define a part or all of an object from said first content, and messages to a server equipment across a computer network, wherein said

Art Unit: 3622

first target area is selected and messages are input by a user of said first terminal with a manipulator of said first terminal. (Col 6, line 19 through Col 7, line 21; Col 7, lines 22-40; Col 11, line 62 through Col 12, line 32)

- c. Receiving, by the server equipment, said first information to identify said first content, said first target area selected, and said messages. (Col 5, lines 25-55, Col 11, line 62 through Col 12, line 32)
- d. Generating, by the server equipment information related to the object from the content from a part or all of said messages received. (Col 8, lines 17-57, Col 11, line 62 through Col 12, line 32)
- e. Interlinking and registering, by the server equipment, said first information to identify said first content, said first target area selected, and the information related to the object from the first content into a database. (Col 8, lines 17-57, Col 11, line 62 through Col 12, line 32)
- f. Wherein a path across which said first terminal receives said information related to said object from the content is different from a path across which said first terminal receives said first content. (Col 6, line 19 through Col 7, line 21, Col 11, line 62 through Col 12, line 32)

Claim 2: Kitsukawa discloses an information linking method as recited in claim 1 wherein:

- a. Said server makes up a group of two or more terminal devices including said first terminal device and a second terminal device and sends said messages received to one or more terminal devices including said second terminal device, belonging to said group, across the computer network. (Col 11, line 62 through Col 12, line 20; and Col 13, lines 10-31)
- b. Said second terminal device receives and outputs said messages. (Col 11, line 62 through Col 12, line 20; and Col 13, lines 10-31)

Claim 3: Kitsukawa discloses an information linking method as recited in claim 1 wherein:

- a. Said server registers advertising keywords and advertising information specified or requested by an advertiser into the database, determines whether said advertising keywords are linked with said information related to the object from the content, sends said advertising information to terminal devices across the computer network when it has been determined that at least one of said advertising keywords is linked with said information related to the object from the content. (Col 5, lines 25-55; and Col 8, lines 17-57)
- b. Terminal devices receive and output the advertising information. (Col 11, line 62 through Col 12, line 20; and Col 13, lines 10-31)

Claim 4: Kitsukawa discloses a terminal device comprising:

Art Unit: 3622

- a. An input unit that inputs content of interest including a video image. (Col 5, lines 29-55; and Col 6, line 19 through Col 7, line 21)
- b. A manipulator that obtains as input a target area selected and messages. (Col 6, line 19 through Col 7, line 21; Col 7, lines 22-40; Col 11, line 62 through Col 12, line 32)
- c. A network interface that transmits information for identifying the content (Col 6, line 19 through Col 7, line 21), said target area selected (Col 8, lines 17-57), and the messages across a computer network (Col 8, lines 17-57; Col 11, line 62 through Col 12, line 32; and Col 13, lines 10-31), and that receives information related to an object from the content across the computer network. (Col 11, line 62 through Col 12, line 32; and Col 13, lines 10-31)
- d. A display that displays said content of interest on which the object is identifiable within said target area selected and the information related to the object, wherein linking of the object and the information is intelligible. (Col 11, line 62 through Col 12, line 32; and Col 13, lines 10-31)
- e. Wherein a path across which said network interface receives said information related to said object from the content is different from a path across which said input unit inputs content. (Col 6, line 19 through Col 7, line 21, Col 11, line 62 through Col 12, line 32)

Claim 5: Kitsukawa discloses a server equipment comprising:

- a. Means for receiving first information to identify content of interest, including a video image, first target area selected, and messages transmitted from a first terminal device across a computer network, (Col 5, lines 29-55; and Col 6, line 19 through Col 7, line 21)
- b. Wherein said content is transmitted from a different pass from said server equipment, and wherein said first target area is selected and messages input by a user of said first terminal with a manipulator of said first terminal. (Col 6, line 19 through Col 7, line 21, Col 11, line 62 through Col 12, line 32)
- c. Means for generating information related to an object from the content from a part or all of the messages. (Col 6, line 19 through Col 7, line 21, Col 8, lines 17-57, and Col 11, line 62 through Col 12, line 32)
- d. Means for interlinking and storing said first information to identify content of interest, said first target area selected, said messages, and said information related to an object from the content into a database. (Col 8, lines 17-57, Col 11, line 62 through Col 12, line 32)
- e. Means for receiving and storing a set of second information to identify content of interest and second target area selected, transmitted from a second terminal device across the computer network, into the database. (Col 5, lines 29-55; and Col 6, line 19 through Col 7, line 21)
- f. Means for matching said first and second information to identify content of interest and said first and second target areas selected. (Col 11, line 62 through Col 12, line 32; and Col 13, lines 10-31)

Art Unit: 3622

- g. Means for sending said messages and/or said information related to an object from the content to said second terminal device across the computer network if matching for both couples is verified as the result of the matching. (Col 11, line 62 through Col 12, line 20; and Col 13, lines 10-31)

Claim 6: Kitsukawa discloses a server equipment as recited in claim 5 further comprising:

- a. Means for registering advertising keywords and advertising information specified or requested by an advertiser into a database. (Col 5, lines 29-55; and Col 8, lines 17-57)
- b. Means for determining whether said advertising keywords are linked with said information related to an object from the content. (Col 8, lines 17-57; and Col 11, line 62 through Col 12, line 20; and Col 13, lines 10-31)
- c. Means for sending said advertising information to said first or second terminal device across the computer network when it has been determined that at least one of said advertising keywords is linked with said information related to an object from the content. (Col 8, lines 17-57; and Col 11, line 62 through Col 12, line 20; and Col 13, lines 10-31)

Claim 7: Kitsukawa discloses a server equipment as recited in claim 6 further comprising marketing information analysis means for generating marketing information, based on statistics obtained from any of said first information to identify



Art Unit: 3622

content of interest, said first target area selected, said messages, said information related to an object from the content, said second information to identify content of interest, said second target area selected, and said advertising keywords, or any combination of a plurality of items thereof. (Col 11, line 62 through Col 12, line 20)

Claim 8: Kitsukawa discloses a server equipment as recited in claim 7, wherein said advertising keywords include nouns including, at least, the name of an article of trade, and the name of one of various types of utensils, the name of a person, the name of an institution, and the name of a district such as a city; proper nouns; verbs that express an act, occurrence, or mode of being; adjectives; pronouns; and combinations thereof, i.e., compounds, phrases, and sentences. (Col 8, line 37- Col 9, line 23)

### ***Response to Arguments***

4. Applicant's arguments filed August 22, 2007, have been fully considered but they are not persuasive.
  - a. The applicant argues that Kitsukawa does not teach or suggest an information linking method, terminal device or server equipment as recited by claims 1,4, and 5. However Kitsukawa discloses receiving advertising information linked to a television program, a user selecting the type of advertising information that they wish to view on a terminal device that is receiving a television broadcast, providing an electronic link which allows the viewer to access additional information wherein the electronic link includes access to various servers over

the internet and access to a central collection center, and linking the ability of a customer to receive the various discounts with the requirement that the customer watch a specific program or combination of programs (Col 5, lines 29-55; Col 6, line 19 through Col 7, line 40; and Col 11, line 62 through Col 12, line 32). In order to enforce the conditional offer with such a requirement the advertisement, the television program, and the redemption of said advertisement must be linked and registered as required by the current claim limitations.

- b. The applicant argues that Kitsukawa fails to teach or suggest the server equipment registering a target area selected by a user of the terminal with a manipulator of the terminal and messages input by the user with the manipulator of the terminal. However, Kitsukawa discloses a user interacting with a terminal containing a graphical user interface via an input device. The user can select the item for which they would like additional information by interacting with a target area. This request for information is sent to an internet site for displaying said additional information (Col 5, lines 29-55; Col 6, line 19 through Col 7, line 40; and Col 11, line 62 through Col 12, line 32). Thus, Kitsukawa teaches the limitations of the claims as currently written.
- c. The applicant argues that Kitsukawa does not teach or disclose a path across which the first terminal receives the information related to the object from the content is different from a path across which the first terminal receives the first content. However, Kitsukawa discloses that the first content is sent across a broadcast path and the information related to the object can be received across a

different path such as the internet (Col 5, lines 29-55; Col 6, line 19 through Col 7, line 40; and Col 11, line 62 through Col 12, line 32).

### **Conclusion**

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Van Bramer whose telephone number is (571) 272-8198. The examiner can normally be reached on 6am - 4pm Monday through Thursday.

Art Unit: 3622

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*jvb*

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